

From: [Goodis, Michael](#)
To: [Keigwin, Richard](#)
Subject: RE: CA OEHHHA FIFRA Notice
Date: Tuesday, April 24, 2018 4:33:00 PM

I saw this today too.

As I understand it, I don't think this is an impact to EPA.

The proposal is to provide registrants alternate terms on the label under Prop 65 other than "Warning" when it is in conflict with the FIFRA Tox II "Warning" term.

I also met with Rachel today to light a fire to get a meeting scheduled. She has been talking with Anne so just need to get OEHHHA plugged in.

Plan to have RD, OGC, HED, OECA? and a PM (label expert) on the call. Probably early May.

Michael L. Goodis, P.E.

Director, Registration Division (RD)

Office of Pesticide Programs (OPP)

Phone 703-308-8157

Room S7623

From: Keigwin, Richard
Sent: Tuesday, April 24, 2018 4:16 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>
Subject: Fwd: CA OEHHHA FIFRA Notice
Any insight?

Rick Keigwin

Director, Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-305-7090

Website: www.epa.gov/pesticides

Sent from my iPhone

Begin forwarded message:

From: "Keller, Kaitlin" <keller.kaitlin@epa.gov>
Date: April 24, 2018 at 2:13:54 PM MDT
To: "Keigwin, Richard" <Keigwin.Richard@epa.gov>, "Perlis, Robert" <Perlis.Robert@epa.gov>
Cc: "Messina, Edward" <Messina.Edward@epa.gov>
Subject: CA OEHHHA FIFRA Notice

Rick and Bob,

Are you aware of this OEHHHA notice? Nancy will likely mention it in the OGC General tomorrow.

<https://oehha.ca.gov/proposition-65/crn/proposed-amendments-article-6-clear-and-reasonable-warnings-section-25603>

Per [this national law review article](#): OEHHHA proposed to allow the use of an alternate

signal word in the “narrow circumstance” where the EPA and DPR signal word and the Proposition 65 signal word conflict. More specifically, a new subsection (d) would be added to the consumer product exposure warning content set forth in Section 25603. The alternate signal words, “**ATTENTION**” or “**NOTICE**,” in capital letters and bold print would be allowed instead of the word “**WARNING**” when the pesticide label is regulated by EPA pursuant to FIFRA and DPR and its implementing regulations. This exception would only apply when EPA or DPR require the use of a signal word other than “**WARNING**.” Comments on the proposal must be submitted to OEHHA by June 11, 2018. Information on how to submit comments can be found on [OEHHA’s website](#). Also yesterday--Morning Agriculture had that the Monsanto lost the Prop 65 glyphosate appeal, but I haven’t seen any other trade press on it.

Thanks,

Kaitlin

Kaitlin Keller, Special Assistant
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
(202) 564-7098

From: Beck, Nancy

Sent: Tuesday, April 24, 2018 3:00 PM

To: Keller, Kaitlin <keller.kaitlin@epa.gov>

Subject: CA

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator
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